

CHAPTER NO. 499

HOUSE BILL NO. 1478

By Representative Sherry Jones

Substituted for: Senate Bill No. 1857

By Senator Haynes

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 2 and Title 2, Chapter 7, relative to transferring registration and voting at the polls.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 2-2-129, is amended by designating the existing language as subsection (a) and by adding the following as new subsections (b) and (c):

(b) A county election commission may transfer registration when a voter moves outside the precinct in which such voter is registered as follows:

(1) If the county election commission uses change of address information supplied by the postal service to identify registered voters whose addresses may have changed; and

(2) if it appears from information provided by the postal service that:

(A) A registered voter has moved to a different residence address within the same county, the administrator may change the registration records to show the new address and send the registered voter a forwardable audit notice of the change using the new address and a postage prepaid pre-addressed return form by which the voter may verify or correct the address information; or

(B) A registered voter has moved to a residence address in a different county or moved without filing a change of address with the postal service, the administrator of elections may mail a forwardable confirmation notice to the registered voter pursuant to the procedures provided in T.C.A. § 2-2-106(c) and T.C.A. § 2-2-106(d).

(c) If the voter returns the form or otherwise notifies the election commission in writing and indicates the address information provided by the postal service is incorrect, the voter's registration shall be updated to reflect the correct address of residence.

SECTION 2. Tennessee Code Annotated, Title 2, Chapter 7, Part 1, is amended by adding the following as a new section to be appropriately designated:

Section 2-7-1____. Procedures for certain active voters.

(a) If the registration of a voter has been transferred to a new precinct within the same county pursuant to T.C.A. § 2-2-129(b)(2)(A), the voter shall be required to vote under the procedures of this section.

(b) A registered voter whose registration has been transferred pursuant to T.C.A. § 2-2-129(b)(2)(A), but who has in fact not moved or has moved to a different address from that supplied by the postal service, shall be required to make a written affirmation of such registered voter's current residence address and that the voter is entitled to vote before voting. This affirmation shall be made on a standard form provided by the county election commission and shall be made before the officer of elections at the voter's polling place or the appropriate election official at an early voting site. The voter may then vote using the same method as any other voter at the polling place. The fact that this voter is a registered voter and has not already voted in the current election must be confirmed by the county election commission before this person may vote.

(c) A registered voter whose registration has been transferred pursuant to T.C.A. § 2-2-129(b)(2)(A), who has in fact moved to the new residence address recorded by the administrator of elections, and who appears to vote at an early voting site or at the new precinct to which the voter's registration has been transferred, shall vote using the same method as any other voter at the polling place.

SECTION 3. This act shall take effect on becoming law, the public welfare requiring it.

PASSED: May 24, 1999


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 17th day of June 1999


DON SUNDQUIST, GOVERNOR